

APPROVED: Meeting No. 8-86

ATTEST:

*Helen M. Heneghan*

MAYOR AND COUNCIL

ROCKVILLE, MARYLAND

MEETING NO. 3-86

January 27, 1986

The Mayor and Council of Rockville, Maryland, convened in executive session in the City Manager's Conference Room, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, January 27, 1986, at 7:15 p.m. to discuss personnel.

PRESENT

Mayor Steven Van Grack

Councilman Steve Abrams

Councilman James F. Coyle

Councilman Douglas Duncan

Councilman Peter Hartogensis

The Mayor in the Chair.

In attendance: City Clerk Helen Heneghan; City Attorney Paul Glasgow.

Re: Adjournment

There being no further business to come before the Mayor and Council in executive session, the meeting was adjourned at 7:50 p.m. to convene in general session.

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, January 27, 1986, at 8:00 p.m.

PRESENT

Mayor Steven Van Grack

Councilman Steve Abrams

Councilman James F. Coyle

Councilman Douglas Duncan

Councilman Peter Hartogensis

The Mayor in the Chair.

In attendance: Acting City Manager Daniel Hobbs; City Clerk Helen Heneghan; City Attorney Paul Glasgow.

Mayor Van Grack said he attended the dedication of the addition to the Rockville United Church yesterday and was most impressed with the service and the ceremony. Last Wednesday, he attended the United States Conference of Mayor's session on Police matters with Chief Stout. The meeting was chaired by Mayor Washington of Chicago and dealt with youth gangs, crime and minority relations.

Re: City Manager's Report

Mr. Hobbs reported the following:

1. Rockville's Cable Television Channel 23 is now presenting a new program called "City Hall Reports". It is a 30 minute news and information series in a magazine format to report on City programs and services. It will be produced bi-monthly and will be replayed along with Mayor and Council meeting summaries, public hearings replays and other feature programs.

2. Public Works employees were called on because of the bad weather forecast for this past weekend. Twelve employees worked Saturday from 6 to 11 a.m. on salting and this morning fourteen came in at 4:00 a.m. to salt.

Re: Appointments

Mayor Van Grack made the following appointments. They were confirmed by the Council:

Economic Development Council: Raymond Whalen - appointed 2 year term  
Whalen Properties (Chamber appointment)

Douglas Taylor - appointed 2 year term  
Rockville Gazette (Chamber appointment)

Library Relocation Committee: Beth Van Lenten  
1105 Cedrus Way

Board of Appeals: Karen Lechter - reappointed 3 year term

Jeryl Gegan - to fill unexpired term of Richard Arkin  
852 College Parkway #102

Robert Puckett - reappointed as alternate - 1 year term

Landlord/Tenant Affairs Commission: Diane Fasolina - 3 year term as tenant member  
604 Monroe Street, Apt. 1

Marsha Meadows - 3 year term as tenant alternate  
1001 Rockville Pike, Apt. 304

Historic District Commission: Michael Patterson - reappointed 1 year term as Chairman

Election Task Force:

Steve Edwards, Co-Chairman  
Dennis King, Co-Chairman  
Sima Osdoby  
Bob Namovich  
Charles Carroccio  
Douglas Duncan, ex-officio  
Jean Fleming, ex-officio

Zan Donaldson  
Ruth Loevinger  
Patrick McGarey  
Al Kamhi  
Keith Haller, Alternate  
Ken Reichard, Alternate

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council:

1. Carole Cohen, 1707 Farragut Avenue. Mrs. Cohen told the Mayor and Council that it is difficult to find someone in the Twinbrook Neighborhood to take over the leadership of the Neighborhood Watch Program. The neighborhood has had difficulties with the City Police. She asked the Mayor and Council to instruct the City Manager to look into matters in the Police Department in order to bring that department up to former expectations. She said since Officer Grasso left the situation has not been a good one. Money has been collected for signs and the signs were not provided and recently a criminal was harbored in the neighborhood during a police search. There has recently been a rape at the shopping center. Mr. Hobbs said Officer Holzberger has taken over the Neighborhood Watch and is working well with the citizens. This evening, the Police Chief will give his annual report. After that the Mayor and Council could

decide which direction the department should take and whether there is need for a police consultant.

2. Lisa Taylor, 303 Lynn Manor Drive, real estate broker. Ms. Taylor spoke to number 9 on the agenda which concerns examination of the Plan. She said the ordinance is looked to as an improvement since it will be less cumbersome for agents.

3. Bill Green, Montgomery County Police Officer, Executive Director of the Montgomery County Boy's Club, 1010 Grandin Avenue. Officer Green read a letter to the Mayor and Council stating that there are 300 youth members in the Boy's club and they have been at the present location for two years. It is his hope to raise \$50,000 to build a gymnasium. In order to do so, the boys club would like to hold a carnival in the City on the old Fire Department Carnival Grounds and he would like the Mayor and Council to facilitate this. Councilman Abrams requested the staff prepare a timeframe in which the Mayor and Council could remove the impediments to allow a carnival to occur. Councilman Hartogensis commented on the problems carnivals had created in densely populated areas which caused the Mayor and Council to take steps to not allow them. Councilman Coyle complimented Officer Green on operation extinguish which is a very aggressive program to cope with juvenile fire setters. Mayor Van Crack thanked Officer Green for all he has done since his work touches all segments of the community. He said he does share Councilman Hartogensis' concern on carnivals in densely populated areas and the intrusion of surrounding neighborhoods. He will read the staff's information but he can appreciate the extra precautions that must be taken to protect those in surrounding areas.

4. Richard Resnick, 953 Farm Haven Drive. Mr. Resnick thanked the staff for help during a recent water main break. Mr. Resnick said the Rockville Pike Plan may include an extension of Jefferson Street. He would like to see that

item mentioned in light of Planning Area 11 which encompasses North Farm and that neighborhood kept informed of activities.

5. JoAnn Mazzetta, 19 Pitt Court. Mrs. Mazzetta said she was pleased to see an ordinance lowering the quorum for the Human Rights Commission. She asked that before the Mayor and Council consider expanding development along the Pike that they note the 30 minute trip it can take to get to the restaurants on the Pike from Crabbs Branch Parkway.

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Work Session Economic  
Development Council

The Mayor and Council conducted a work session with the Economic Development Council. Bill Roberge, Chairman, Bob Turner, Douglas Taylor and Ray Whalen were present.

The following items were discussed:

1. Planning

Participation in the planning process of development/redevelopment areas within Rockville to identify opportunities and make recommendations for action. The Thomas Farm and the Westmont Tract, for example, are among the remaining unimproved development areas in Rockville. The pressure for redevelopment among commercial or industrial areas, such as Rockville Pike, will become greater as land becomes scarce.

2. Transportation

The EDC will make recommendations for action on transportation issues. Traffic congestion remains a problem area affecting business, thus, support will be offered for capital projects such as the extension of Jefferson Street.

3. Rockville Pike

A recommendation will be made that an EDC representative be appointed to the Rockville Pike Advisory Group should this organization continue to operate after Rockville Pike planning is complete.

4. Business Relations

The EDC will continue to project Rockville as a good environment for business but will not recommend adopting an aggressive sales campaign as utilized in other jurisdictions. The EDC will continue to work in conjunction

with the Chamber of Commerce. The EDC may promote the make-up of its membership with representation from the legal, accounting, financial public relations and stock brokerage fields. The EDC will extend its members as a sounding board for businesses that are experiencing problems with the regulatory process. EDC will develop and maintain relationship with other groups within the City such as the I-270 Employers Group and others.

5. Local Development Corporation

The EDC will reopen discussions of formation of a local development corporation (LDC) in Rockville. An LDC, on an ad-hoc basis, can attack problems that government and private industry sometimes cannot.

6. Brochure

The EDC will recommend that a comprehensive economic development tool or booklet be prepared under one cover in 1986. This tool can serve as a community profile, a business profile, a summary of regulatory processes, an inventory of taxes and fees, demographic information, a promotional tool and other related information benefitting the business community. Funds should be appropriated for this document in the FY 87 budget.

7. Employment Opportunities

The EDC will research employment opportunities that may go unfilled at the low or unskilled/semi-skilled end of the job market. This research will include ways of providing transportation to Rockville area businesses. The Chamber of Commerce will be consulted in this regard.

8. Retail Businesses

The EDC will work toward promoting and maintaining retail business consistent with the findings of the Rockville Pike Advisory Group's recommendation. This effort will be aimed at the service retail market such as shoe repair shops, barber shops, etc. which traditionally are displaced by higher rents.

Mayor Van Grack asked the Economic Development Council to consider the straightening of Southlawn Lane in order to connect it with Frederick Avenue from Gude to Route 355.

Re: Public Hearing: Text  
Amendment Applica-  
tion, T-70-85,  
Fortune Parc Develop-  
ment, Applicant, re-  
quest to amend the  
text of the Zoning  
Ordinance to apply  
the procedures of  
Comprehensive Planned  
Development to the I-3  
Zone

The Mayor and Council continued a public hearing on Text Amendment Applica-  
tion, T-70-85, Fortune Parc Development, Applicant, and heard those persons as  
will be found in the official stenographic transcript of the hearing. There  
being no other person wishing to be heard, the Mayor closed the hearing with the  
record to be held opened for 30 days.

Re: Discussion of City  
Position on State  
legislation regarding  
voter registration

The Mayor and Council discussed several bills before the legislature  
concerning voter registration. The one bill, HB9 deals with universal registra-  
tion and a person registering to vote in the County would automatically be  
registered in the City. Other bills, HB486, HB487, and HB488 (Maryland  
Municipal League Package) are legislation which establishes minimum standards  
for the conduct of registration. The Mayor and Council discussed the relative  
merits of the bills with Mayor Van Grack and Councilman Duncan supporting HB9  
and Councilman Coyle and Hartogensis supporting the Municipal League Package,  
Councilman Abrams said he had no problem with HB9 provided the City could  
maintain a separate voter list. After further discussion, on motion of Council-  
man Abrams, duly seconded and unanimously passed, the Council agreed to support  
the bills as individuals and take no City position at this time pending a  
recommendation from the newly formed Election Task Force.

Re: Adoption of Resolution: To deny Map Amendment Application, M-45-85, William Fisher, Applicant, request to rezone 3.45525 acres, at 905 Veirs Mill Road from the present R-60, Residential Zone to O-1, Office Zone

Resolution No. 7-86

On motion of Councilman Duncan, duly seconded and unanimously passed, Resolution No. 7-86, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council, denying Map Amendment Application, M-45-85, was adopted by the Mayor and Council.

Re: Introduction of Ordinance: To amend Section 12-1.18A of the "Laws of Rockville", Chapter 12, entitled "Public Nuisances", to require real estate purchasers to examine only the Land Use Plan Map, instead of the entire Plan

On motion of Councilman Abrams, there was introduced upon the table an ordinance to amend Section 12-1.18A of the "Laws of Rockville" Chapter 12, entitled Public Nuisances to require real estate purchasers to examine only the Land Use Plan Map, instead of the entire Plan, said ordinance to lay over at least one week before final action is taken.

Re: Approval of testimony on County Capital Improvements Program

On motion of Councilman Duncan, duly seconded and unanimously passed, the Council approved the testimony with the Planning Commission additions.

January 27, 1986

Re: Approval of testimony  
on FY 87 MC Public  
School Operating  
Budget

The Mayor and Council reviewed the testimony on the public school operating budget and they suggested several modifications. The testimony was modified by consensus. It will be given on Thursday night by Councilman Abrams.

Re: Award of Contract:  
Bid No. 56-86, Broome  
Athletic Park  
Concession Stand

Invitations to bid were mailed to over one hundred construction firms. Sealed bids were received and opened at 3:00 p.m. on January 13, 1986, in the Mayor and Council Chamber for construction of the Broome Athletic Park Snack Bar, Rest Room and Storage Facilities and were as follows:

<u>Firm</u>	<u>Bid Amount</u>
1. Adolph Prauhs, Inc., Bethesda, MD	\$87,500
2. Smith & Haines, Inc., Rockville, MD	\$95,662
3. R. J. Crowley, Inc., Rockville, MD	\$113,492

The project entails the construction alteration of an existing 1300 sq. ft. interior room into a snack bar, rest room and storage area to service the users of the Broome Athletic Park. The project area is located at the rear of the Broome School building, and construction is expected to be completed by May 16, 1986.

This project is Phase II of the 3-phase development plan consistent with the approved Broome Athletic Park Master Plan.

Phase I, which is now completed, included the construction of two softball fields encompassing outdoor lighting, a field irrigation system, backstops, fencing, walkways, and landscaping. The ballfields, snack bar, rest room, and storage area are part of a 25-year lease agreement between the City and Montgomery County government for the use of the facilities as the City's adult athletic park.

The project is funded in the approved FY 86 C.I.P. budget in the amount of \$90,000. The state of Maryland's Program Open Space Grant is funding 75% of this project.

The city staff contacted representatives of the Montgomery County and Anne Arundel County governments who have recently contracted similar work with Adolph Prauhs, and both gave very good recommendations.

Staff recommends an award to Adolph Prauhs, Inc., in the amount of \$87,500, as low bidder for the construction of the Broome Athletic Park Snack Bar, Rest Room, and Storage facilities as per the specifications in Bid No. 56-86.

On motion of Councilman Duncan, duly seconded and unanimously passed, Bid No. 56-86, was awarded to Adolph Prauhs, Inc., in the amount of \$87,500.

Re: Introduction of  
Ordinance: To amend  
Section 13-2.04 of  
the "Laws of  
Rockville", Chapter  
13, entitled "Human  
Rights Commission",  
to change the quorum  
requirements for con-  
ducting business

On motion of Councilman Abrams, there was introduced upon the table, an ordinance to amend Section 13-2.04 of the "Laws of Rockville, Chapter 13, entitled "Human Rights Commission", to change the quorum requirements for conducting business, said ordinance to lay over at least one week before final action is taken.

Re: Correspondence:

The Mayor and Council noted the following items of correspondence:

1. N. Hafer, Montgomery County Historical Society re fund request

Councilman Coyle asked the Acting City Manager if he would send information concerning the City's relationship with the Historical Society as far as funding requests are concerned.

2. C. Turner, Metro, re Route T-6

Mayor Van Grack asked a copy of this letter be sent to the Twinbrook Citizens Association.

3. David H. Brown, re Stonestreet parking

4. G. Bortnick, re rodent problem

Councilman Duncan asked the staff to report back on this item.

5. George Ballman, re neighborhood problems

Councilman Coyle asked if there was any new information. The Acting City Manager said the staff is looking into it. There have been iron filings in the water, but a full report will be coming.

6. Marilyn Scott, re Art in Public Places Plan

7. Mrs. R. B. Lewis, re garden plot

Councilman Hartogensis asked the status of this. The Acting City Manager distributed a letter explaining the rates.

8. Delegate Gordon, re Kersey/Falls intersection

9. Terry Baker, re swim center rates

Councilman Duncan asked that the Recreation and Park Board look at this.

10. H. J. Thomas, request for postponement

Re: Information Items

The Mayor and Council noted the following items of information:

1. Response to citizen request for STOP sign
2. CDHA project report
3. Letter to PTSA's re 1/29 meeting at Civic Center
4. Copy of REGION magazine

Councilman Abrams drew attention to an article on Rockville Pike Shuttle and reported on the meeting he attended at VMTA with Montgomery County Councilwoman Crenca. He said completion of this project may be possible. Information on the funding of the Second Phase of the Transportation Plan will be available in 30 days.

5. Information on tow trucks parking on residential streets

Councilman Duncan asked that this be referred to the Traffic and Transportation Commission.

## Re: New Business

1. Councilman Abrams said he is most interested in the Council pursuing the idea of allowing a carnival. Councilman Duncan agreed. Councilman Abrams said this is an opportunity to look at the entire carnival question in a different light since the sponsor will be the police department. It should allay peoples concerns about security which was a major issue in prior times. He would like to see a carnival allowed at the discretion of the Mayor and Council and under limited circumstances. Mr. Hobbs said last time the problems were so significant that the Mayor and Council legislated them out of the City. Mayor Van Grack said he would like to see groups helped, but the magnitude of complaints causes reluctance on his part. The staff will return with further information and in addition to that furnished this evening.

2. Councilman Coyle noted that a few weeks ago Councilman Abrams met with representatives of the Polinger Company and he would like some information on that meeting. Councilman Abrams reported on that meeting and said at that time he received a market analysis from the company but he asked for a cost analysis. When that comes he will report back to the Council.

3. Councilman Duncan asked if there is any further information on the Archives program. The City Clerk noted that two meetings had been held and that a report will be coming on the 10th.

4. Councilman Coyle asked if there was any further information on Potomac Woods Park and the request from the citizen to purchase that land. He asked what the Council needs to do to insure that it be park land. The Acting City Manager explained the land is park land. It would take the action of the Council to change it.

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Re: Adjournment

There being no further business to come before the Mayor and Council in general session, the meeting was adjourned at 1:16 a.m. on January 28, 1986, to convene again in work session on Monday, February 3, 1986, at 7:30 p.m. or at the call of the Mayor.